

REMARKS/ARGUMENTS

Claims 23-33, 54-55, and 59-67 are pending. By this Amendment, claim 53 is canceled without prejudice or disclaimer, and claim 54 is amended to depend from claim 31. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action objects to claims 53-54 under 37 C.F.R. §1.75, as allegedly being a substantial duplicate of claims 31-32. As set forth above, claim 53 has been canceled and claim 54 has been amended to depend from claim 31. Accordingly, the objection should be withdrawn.

The Office Action rejected claims 23-33, 53-55, and 59-67 under 35 U.S.C. §102(e) over Hayashi et al. (hereinafter "Hayashi"), U.S. Patent No. 6,086,790. Claim 53 has been canceled. The rejection is respectfully traversed in so far as it applies to the pending claims.

Independent claim 23 recites a method of forming a multi-layer structure for a display panel, comprising forming a layer having a composition of intermixed first and second components, wherein the first component is different in color from the second component; and thereafter forming two substantially separate and distinct sub-layers within the layer, wherein a first sub-layer comprises the first component and the second sub-layer comprises the second component. Independent claim 59 recites a multi-layer structure for a display panel, comprising a layer having an initial composition of intermixed first and second components, wherein the

first component is different in color from the second component, wherein each component has a specific gravity, and wherein two substantially separate and distinct sub-layers are formed within the layer based on the specific gravity of the first and second components. Hayashi does not disclose or suggest all of such features, or the respective claimed combinations of independent claims 23 and 59.

That is, Hayashi merely discloses a double-layer structure transparent conductive film having an upper layer of silica and a lower layer of fine metal powder. The Examiner asserts that “although the layers are applied separately, intermixing occurs thereafter...Hayashi [...] recognizes this and teaches the step of separating the powders.” However, there is no such teaching in Hayashi as argued by the Examiner. Further, the Examiner is directed to the claim language. Again, independent claim 1 recites forming a layer having a composition of intermixed first and second components, wherein the first component is different in color from the second component, and thereafter forming two substantially separate and distinct sub-layers within the layer, wherein a first sub-layer comprises the first component and the second sub-layer comprises the second component. Independent claim 59 recites a layer having an initial composition of intermixed first and second components, wherein the first component is different in color from the second component, wherein each component has a specific gravity, and wherein two substantially separate and distinct sub-layers are formed within the layer based on the specific gravity of the first and second components.

Accordingly, the rejection of independent claims 23 and 59 over Hayashi should be withdrawn. Dependent claims 24-33, 54-55, and 60-67 are allowable over Hayashi at least for the reasons discussed above with respect to independent claims 23 and 59, from which they respectively depend, as well as for their added features.

CONCLUSION

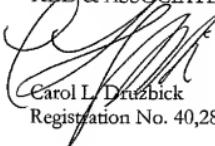
In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Serial No. 10/644,757
Reply to Office Action of April 30, 2008

Docket No. RPL-0010REI

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP


Carol L. Drubick
Registration No. 40,287

P.O. Box 221200
Chantilly, Virginia 20153-1200
703-766-3777 CLD:tg
Date: July 24, 2008
\\Ptk4\Documents\2028\2028-028\165149.doc
Please direct all correspondence to Customer Number 34610